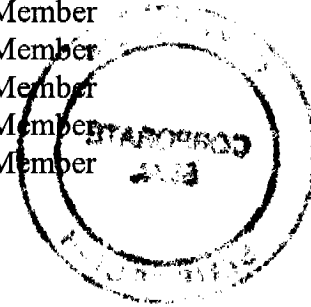


REGULAR CITY COUNCIL MEETING
MAY 13, 2002

PRESENT

Gayle Bunker
Wesley Bloomfield
Bruce Curtis
Robert Droubay
Margaret Dutson
Glen Swalberg

Mayor
Council Member
Council Member
Council Member
Council Member
Council Member

ABSENT

None

ALSO PRESENT

Richard Waddingham
Neil Forster
Alan Riding
Judy Baker
Gregory Jay Schafer
Dale Bond
Mike Styler
Brent Morris
John Chartier
Deb & Joe Bryant
Johnny Bunker
Zae Gray
Jaron Piacitelli
Kyle Gray
Zach Goulding
Cade Archibald
Preston Holiday
Landon Bryner

City Attorney
Public Works Director
Asst. Public Works Director
City Treasurer
City Recorder
City Resident
Delta Middle School Instructor
Skate Park Architect
Sunrise Engineering
City Residents
Student
Student
Student
Student
Student
Student
Student
Student
Student

Mayor Bunker called the meeting to order at 7:00 p.m. He stated that notice of the meeting time, place, and agenda had been posted at the City Building and had been provided to the Millard County Chronicle/Progress, to KNAK Radio, and to each member of the City Council, at least two days prior to the meeting. Gregory Jay Schafer, City Recorder, acted as secretary.

Council Member Wesley Bloomfield offered an invocation, following which Mayor Bunker led those in attendance in the pledge of allegiance.

MINUTES

The proposed minutes of a Regular City Council Meeting held April 22, 2002 were presented for consideration and approval. Mayor Bunker noted that the proposed minutes lacked the names of who made the motion and second to appoint Alan Riding and Ken Clark as Public Works Director and Assistant Public Works Director, respectively, effective August 30, 2002. It was determined that Council Member Wesley Bloomfield made the motion and Council Member Bruce Curtis seconded the motion. Council Member Wesley Bloomfield MOVED to approve the minutes of the Regular City Council Meeting held April 22, 2002, as corrected. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. Council Member Robert Droubay requested that the amount of the ditch tax and water rental rate be inserted in the minutes on page 3. Council Member Wesley Bloomfield MOVED to amend his motion to include insertion of the ditch tax and water rental rates in the minutes of the Regular City Council Meeting held April 22, 2002. Council Member Glen Swalberg SECONDED the motion. Mayor Bunker asked if there were any additional comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a copy of which had been given to them two days prior to the meeting. Following review, Council Member Bruce Curtis MOVED to approve the accounts payable, dated May 13, 2002, in the amount of \$77,508.54. The motion was SECONDED by Council Member Robert Droubay. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

UNFINISHED BUSINESSPUBLIC WORKS DIRECTOR NEIL FORSTER: SELECTION OF ENGINEERING FIRM FOR WATER LINE REPLACEMENT

Public Works Director Neil Forster reminded the Council of a discussion at a previous meeting regarding the failure of water lines in the Pleasant Village area of Delta. Since that time, Sunrise Engineering has been asked to determine the parameters of the problem; Public Works Director Forster asked Mr. John Chartier, of Sunrise Engineering, to discuss the matter with the Council.

Mr. Chartier advised the Council that Sunrise Engineering does a great deal of work on water and sewer systems for small communities. He stated that he has looked at the project and outlined the scope of work which Sunrise Engineering would do for Delta City, including mapping, construction drawings and specifications, assist with the bidding process, obtaining a contractor, preparing books to be used by Delta City personnel in construction observation, and provide an "as built" map to be installed into the G.I.S. mapping system. The project would include installation of new water lines, pressure testing, installation of new hydrants and valves, if necessary, and reconnection of existing

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valves and hydrants. The job specifications would require the contractor to construct the water line in accordance with Delta City requirements, as well as Utah Safe Drinking Water regulations and other government regulations regarding drinking water. Mr Chartier stated that the cost of the engineering would be approximately \$8,000.

Public Works Director Forster noted that the job is going to be somewhat larger than was originally anticipated, probably by approximately 500-600 feet, which will result in the project cost being more than early estimates; however, the project can probably be completed for less than \$100,000. The total project size will be approximately 2,500 feet and involves from 100 East to 300 East on 200 North, as well as 150 East and 300 East.

Following discussion of the project, Council Member Glen Swalberg MOVED to contract with Sunrise Engineering to go forward with engineering work on construction of new water line, to enter into the bidding process and selection of a contractor and proceed with the project on 200 East and the surrounding area. The motion was SECONDED by Council Member Wesley Bloomfield. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

MAYOR GAYLE BUNKER: DELTA CITY FLAG COLORS

Mayor Bunker had previously distributed drawings showing possible color combinations for a Delta City flag. In addition, the Public Works Department had prepared suggested flag replicas using the Delta City logo. Mayor Bunker asked for input from the Council on which colors should be used in preparing the Delta City flag. Mayor Bunker informed the Council that the three color, 3' x 5' silk screened flags will cost \$43.60 each, plus a \$213 set up fee. Mayor Bunker suggested that forty flags be purchased in order to have sufficient flags to alternate the Delta City flags with the U.S. flags displayed on Main Street on holidays and, also, to have new flags available to replace those which become unusable due to wear. Following discussion, Council Member Wesley Bloomfield MOVED to approve purchase of forty 3' x 5' Delta City flags in the design shown as No. 8 on the artist drawing, on an ivory background, with a recommendation to the flag maker to enlarge the Delta City logo to fill a large area of the flag. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

NEW BUSINESS

COUNCIL MEMBER WESLEY BLOOMFIELD: BRENT MORRIS, ARCHITECT INFORMATION ON SKATE PARK

Council Member Wesley Bloomfield introduced Mr. Brent Morris, a landscape architect from the Farmington, Utah area, who designed the skate park in Price City. Mr. Morris agreed to come to Delta to meet with the Council and make a presentation regarding a proposed skate park. Mr. Morris

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advised the Council that the majority of his work is landscaping but he got into working with skate parks while assisting Farmington City with construction of their skate park. Mr. Morris reviewed the size, design, construction materials, and costs of several skate parks which have been constructed in Utah cities.

Council Member Bloomfield asked Mr. Morris what course Delta City needs to take in researching the cost and feasibility of a skate park. Mr. Morris told the Council that the first step would be to analyze and determine the location of a proposed skate park; Mr. Morris recommended that a park be constructed in a somewhat centralized area, enabling skateboarders to access the park without the necessity of transportation. After a location has been selected, Mr. Morris suggested that a brainstorming session be held to determine the size and design of the park. Mayor Bunker suggested locating the skate park in the area to the north of the City Building (the old Delta High School football field), or the area on the southeast corner of the Neighborhood Park, or north of the pavilion at the Neighborhood Park.

Mayor Bunker thanked Mr. Morris for his presentation and the information provided. Mr. Mike Styler told the Council that he had talked with Millard County Commissioner Steve Draper about a skate park and was told there was a possibility of financial support from Millard County for construction of a park. Mr. Styler also met with Mr. Cortland Nielson, Director of State Parks, and discussed funding for a skate park. Mr. Styler was advised that funding, of up to 50%, is available for construction of a skate park; however, the funding cycle would result on monies not being available until June, 2003. The applications for funding are sent out in October of each year and are to be submitted in the spring, with monies being distributed in June.

DALE BOND: DELTA CITY ALLEY PROPERTY INTERSECTING PROPERTY LOCATED AT APPROXIMATELY 407 SOUTH 100 WEST

Mr. Bond addressed the Council regarding the alley property intersecting his property at 407 South 100 West. Mr. Bond stated that, in the past, he had seen several parcels of property change hands from Delta City to private property owners, sometimes for no fee and sometimes for a small fee. Mr. Bond felt that the price he has been given, for purchase of the alley property intersecting his property, is much higher than property transfers have been in the past. Mr. Bond noted that the property has been used for many years by the State of Utah and by Jack B. Kelley Trucking with no taxes being paid on that portion of the property, because it is owned by Delta City. Mr. Bond felt that obtaining the alley property from Delta City, at a relatively low price, would at least allow property taxes to be collected on that portion.

Mayor Bunker asked Mr. Bond what he felt would be a fair price for the alley property. Mr. Bond stated that he has seen alley property transferred for no exchange of money and also for the amount of \$100. While realizing that different circumstances require different prices, he does not want to obtain the property for nothing, but does not want to pay an exorbitant price either. Mr. Bond would be willing to pay \$500 for purchase of the alley property. Council Member Wesley Bloomfield noted

that he had received additional information regarding the exchange of alley property since the previous Council meeting in which purchase of the property by Mr. Bond was discussed. At that time, the price quoted was based on the market value which Millard County placed on the property. Council Member Wesley Bloomfield MOVED to sell the 33 foot wide alley way intersecting the property located at approximately 407 South 100 West to Mr. Dale Bond at a price of \$400, with the requirement that the purchaser pay all fees associated with the property transfer. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. Council Member Robert Droubay asked the size of the property and questioned whether the Council should obtain an appraisal. Mayor Bunker noted that the property has never been used by Delta City and it is unlikely that Delta City would use it in the future. Attorney Waddingham explained to the Council that the Utah Supreme Court has established a formula to be used when conveying or selling property. The City should receive value for value. Attorney Waddingham cautioned the Council to impose a price consistent with the fair market value of the property and suggested that individuals who seek to obtain Delta City real property hire their own appraiser and obtain an appraised value of the property which the City can rely on before making such conveyance. Mayor Bunker asked if there were any additional comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

PUBLIC WORKS DIRECTOR NEIL FORSTER: PROPOSED EARLY PAYOFF OF WATER BOND

Public Works Director Neil Forster advised the Council that there has been discussion for several years regarding early payoff of the water bond. At the present time, monthly payments in the amount of \$1,928 are being made on the water bond, with an additional \$1,500 added to the payment each month in order to reduce the debt at a faster rate. The additional \$1,500 comes from the amount which had previously been paid on the Subordinated Water Bond several years ago. After early payoff of the Subordinated Water Bond, the Council allowed the funds previously paid on that bond to be added to the monthly payments made on the existing water bond as an additional reduction of principal payment.

Public Works Director Forster noted that the interest on the water bond is 5%, while the interest earned on money held in the bank is currently 2% - 2 ½%. The bond requires that the amount of \$40,000 be held in reserve, which is being done; however, there is an additional amount of approximately \$609,000 being held in savings accounts. Public Works Director Forster requested approval of the Council to instruct City Recorder Gregory Jay Schafer to use the \$40,000 being held in reserve, along with an additional \$75,000 to pay off the water bond, which would leave a balance of approximately \$534,000 in savings. Public Works Director Forster felt that, with the water repairs to be done in the Pleasant Village area, payoff of the water bond, and going forward with drilling exploratory wells, there should still be a balance of approximately \$450,000 in reserve. If this proposal were approved, Public Works Director Forster would like to have the Council direct the funds previously used for payment on the water bond be put back into the reserve accounts to rebuild them for future use.

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Council Member Wesley Bloomfield MOVED to approve early payoff of the approximately \$115,000 water bond. The motion was SECONDED by Council Member Bruce Curtis. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

MAYOR GAYLE BUNKER: PROPOSED AMENDMENT TO DELTA CITY FINAL BUDGET FOR FISCAL YEAR 2001-2002

Mayor Bunker stated that a Public Hearing had been held, prior to this meeting, for the purpose of receiving public comment regarding the proposed amendment to the Delta City Final Budget for Fiscal Year 2001-2002, with no negative comment being received. City Attorney Richard Waddingham provided the following resolution:

RESOLUTION NO. 02-278

A RESOLUTION AMENDING RESOLUTION 01-273 AND THE BUDGET ADOPTED
THEREBY TO PROVIDE FOR AMENDMENTS TO THE FISCAL YEAR 2001-2002
BUDGET OF THE CITY OF DELTA, UTAH

Council Member Glen Swalberg MOVED to approve Resolution No. 02-278, a resolution amending Resolution No. 01-273 and the budget adopted thereby to provide for amendments to the fiscal year 2001-2002 Budget of Delta City, Utah. City Attorney Richard Waddingham asked the Council if they would like to include the engineering fee for the water line replacement in the amended budget amount. The Council determined that they would include \$10,000 for engineering fees for the water line replacement on page 5, Line 51 of the amendment to the Delta City Final Budget for Fiscal Year 2001-2002, which would make a grand total of \$3,033,275. Council Member Robert Droubay SECONDED the motion. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

Wesley Bloomfield	Yes
Bruce Curtis	Yes
Robert Droubay	Yes
Margaret Dutson	Yes
Glen Swalberg	Yes

The motion passed unanimously.

MAYOR GAYLE BUNKER: ADOPTION OF DELTA CITY TENTATIVE BUDGET FOR FISCAL YEAR 2002-2003

Mayor Bunker advised the Council that the Delta City Tentative Budget for Fiscal Year 2002-2003 includes an approximately 10% increase for employee health insurance and does not include any cost

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of living pay increases. Mayor Bunker noted that the Tentative Budget needs to be adopted and a Budget Work Session needs to be held in the next two weeks to discuss figures for the Final Budget for Fiscal Year 2002-2003. City Attorney Richard Waddingham reminded the Council that the Tentative Budget needs to be reduced by the amount of engineering fees which was included in the Amended Budget for Fiscal Year 2001-2002. City Recorder Gregory Jay Schafer instructed Council Members to reduce the figure for Water Enterprise Fund on Page 5 from \$415,340 to \$405,340, for a grand total of \$3,267,454. Council Member Robert Droubay MOVED to adopt the Delta City Tentative Budget for Fiscal Year 2002-2003, in the amount of \$3,267,454. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

MAYOR GAYLE BUNKER: BUDGET WORK SESSION - DELTA CITY FINAL BUDGET FOR FISCAL YEAR 2002-2003

Mayor Bunker noted that the final budget needs to be approved no later than June 22, 2002. He suggested that a budget work session be scheduled sometime during the week of May 28th - 31st, and adoption of the final budget at the Regular City Council Meeting scheduled for June 10th. Mayor Bunker scheduled a Budget Work Session on Thursday, May 30, 2002 at 9:00 a.m. at the City Building.

MAYOR GAYLE BUNKER: DELTA CITY FINAL BUDGET FOR FISCAL YEAR 2002-2003

Mayor Bunker told the Council that a public hearing needs to be set for the purpose of receiving public comment regarding the proposed Delta City Final Budget for Fiscal Year 2002-2003. Council Member Wesley Bloomfield MOVED to set a public hearing on Monday, June 10, 2002 at 6:45 p.m. for the purpose of receiving public comment regarding the proposed Delta City Final Budget for Fiscal Year 2002-2003. The motion was SECONDED by Council Member Bruce Curtis. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

MAYOR GAYLE BUNKER: DISPOSITION OF THIRTY FOOT WIDE PARCEL OF PROPERTY LOCATED IN BLOCK 75, DELTA TOWNSITE

Mayor Bunker told the Council that he recently became aware of a parcel of property in Block 75, Delta Townsite, which was apparently, at some time, deeded to the Town of Delta. The property consists of a strip of land approximately thirty feet wide running between the properties along the street side and alley side of the east portion of Block 75. Mayor Bunker felt that the equitable way to distribute the property would be to deed approximately fifteen feet to each property owner along the strip. Council Member Wesley Bloomfield suggested that Delta City pay for the survey work which needs to be done in order to determine where, exactly, property lines should be, then approach the property owners to pay their portion of the survey fee in exchange for a deed to the approximately

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fifteen foot parcel of property. Public Works Director Neil Forster suggested that a survey be done to determine where the property lines should be, then determine what steps should be taken to distribute the property and costs equitably. Attorney Waddingham suggested that Delta City contact Scott Nickle, who hired a surveyor to obtain a meets and bounds description for certain real property located within the strip of land. This would allow for a more consistent survey of the entire strip of land.

Council Member Wesley Bloomfield MOVED to approve the hiring of a surveyor to identify the boundaries of the alley way in Block 75, with the intent that, following resolution of where the property lines should be, the property be deeded to the various property owners with the owners covering expenses incurred by Delta City in dividing the property. The motion was SECONDED by Council Member Robert Droubay. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

COUNCIL MEMBER ROBERT DROUBAY: PROPOSED ONE LOT SUBDIVISION LOCATED AT APPROXIMATELY 286 SOUTH 150 WEST (HUMPHRIES ONE LOT SUBDIVISION)

Council Member Robert Droubay told the Council that the Planning & Zoning Commission had met and considered the proposed Humphries One Lot Subdivision, located at approximately 286 South 150 West and had recommended that the City Council set a public hearing for the purpose of receiving public comment regarding the proposed single lot subdivision and, further recommended that the single lot subdivision be approved with the condition that an "Off Site Improvement Agreement" be signed guaranteeing owner participation in the cost of any future curb, gutter and sidewalk improvements which may be installed in the area. City Attorney Richard Waddingham advised the Council that a public hearing is not required for a single lot subdivision and that action could be taken at this meeting to approve the single lot subdivision, but the matter should be put on the agenda for the next meeting to ratify the approval. Council Member Robert Droubay MOVED to approve the proposed single lot subdivision located at approximately 286 South 150 West (Humphries One Lot Subdivision) with the condition that an "Off Site Improvement Agreement" be signed guaranteeing owner participation in the cost of any future curb, gutter and sidewalk improvements which may be installed in the area and that this action be ratified at the next meeting of the City Council. The motion was SECONDED by Council Member Wesley Bloomfield. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

COUNCIL MEMBER ROBERT DROUBAY: RECOMMENDATION FROM PLANNING & ZONING COMMISSION REGARDING ESTABLISHMENT OF DEFINITIONS AND RESTRICTIONS FOR BILLBOARD ADVERTISING WITHIN DELTA CITY LIMITS

Council Member Robert Droubay reported that the Planning & Zoning Commission had met to form recommendations for the City Council. He told the Council that the Planning & Zoning Commission has spent considerable time determining sign requirements in residential areas, including R-1-B, R-2,

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R-3, R-4, R-D and R-R. The signs were divided into three types of signs: Attached On-Premises Signs, Detached On-Premises Signs, and Off-Premises Signs. Council Member Droubay then outlined the recommendations of the Planning & Zoning Commission for each type of sign in each residential area. Council Member Droubay asked for input from the Council as to requirements for election campaign signs. Council Member Droubay felt that the recommendations for business zones can be ready for the June 10, 2002 Council meeting.

OTHER BUSINESS

Mayor Bunker reported that he had received a letter from the Bureau of Reclamation announcing a year long celebration of 100 Years of Water in the West and requesting that Delta City sign a proclamation declaring June 17, 2002 as Bureau of Reclamation Day. Mayor Bunker did not feel that the proclamation was necessary and the Council agreed.

Mayor Bunker reported that the Miss Liberty Pageant was held on Friday, May 10th. Delta City's Miss Liberty for 2002 is Jodi Stanworth, daughter of Gene & Penny Stanworth; First Attendant is Bree Ann Nelson, daughter of Bill & Shauna Nelson; and Second Attendant is Chantel Allen, daughter of Greg & Debbie Allen.

Mayor Bunker asked Council Members to be thinking about selecting a Grand Marshall for the Fourth of July celebration. The time for selecting the Grand Marshall is rapidly approaching. Council Member Margaret Dutson suggested Council Member Glen Swalberg or Jessie Works. Council Member Wesley Bloomfield suggested Dorothy Killpack. Mayor Bunker felt that Mr. & Mrs. Killpack had been selected as Grand Marshall in the past. Council Member Wesley Bloomfield suggested that the City Office staff prepare a list of individuals who had previously served as Grand Marshal.

Council Member Margaret Dutson reported that she had received a call from Billie Jones, a new Delta City resident, who has a desire to be on a committee to clean up the town. Council Member Dutson and Mrs. Jones would like to plan a clean up day in the fall, with an advertising slogan to be used, and request that the churches designate the day as a service day for clean up. In addition, they would like to organize a committee to designate areas which need extensive work and assign groups to work in those areas. They would like to have free hot dogs, drinks, and entertainment in the park in the afternoon for those who have participated in the clean up. Council Members were in agreement with Council Member Dutson's suggestion. Public Works Director Forster felt that, if the Council would allow Council Member Dutson and Mrs. Jones to organize this clean up, it could

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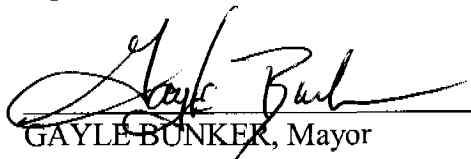
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be a very successful event.

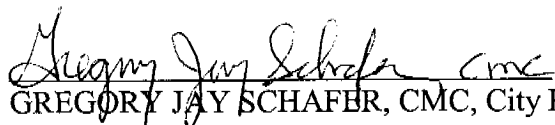
Council Member Dutson asked if the Nuisance Ordinance can be enforced with regard to the demolition derby cars. She has met with several property owners who have no interest in removing the wrecked automobiles from their property. City Attorney Richard Waddingham stated that the ordinance can be enforced and require removal of the wrecked automobiles. Council Member Dutson supplied a list of properties which need to have the automobiles removed. City Attorney Waddingham suggested that the list be given to Public Works Director Forster, Nuisance Officer, who will take photographs of the automobiles and letters will be sent to advise the property owners that the vehicles must be removed.

Mayor Bunker asked if there were any comments, questions, or other items to be discussed. There being none, Council Member Glen Swalberg MOVED to adjourn the meeting. The motion was SECONDED by Council Member Robert Droubay. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Mayor Bunker declared the meeting adjourned at 9:32 p.m.



GAYLE BUNKER, Mayor


GREGORY JAY SCHAFFER, CMC, City Recorder

MINUTES APPROVED BY RCCM 06-10-02

